

Dads and Moms PAC Position statement

SB 545, 546, 547, 548, 549

SB 545 – Divorce effects program

Dads and Moms PAC position: Dads and Moms PAC supports this bill, with recommendation that the program include disclosure of the most recent published statistics on divorce and FOC, including but not limited to those relating to gender related effects and bias in divorce. I.E. SCAO 2008 FOC statistical supplement et. al.

This program should also include material covering the effects, deficiencies, and benefits of raising a child, both in a single parent environment, as well as with significant involvement of both parents.

SB 546 – Premarital education program

Dads and Moms PAC position: Dads and Moms PAC mildly supports this bill, with recommendation that the program include disclosure of the most recent published statistics on the percentage of marriages that end in divorce or dissolution, divorce and FOC statistics, including but not limited to those relating to gender related effects and bias in divorce. I.E. SCAO 2008 FOC statistical supplement et. Al.

It is the position of Dads and Moms PAC that, as proposed, the educational requirements are to nominal to have any significant impact, and the 28-day bypass period is to short to encourage program participation.

SB 548 – Definition of “member of the clergy”

Dads and Mom PAC takes no position on this program.

SB 549 – Premarital educator licensure

Dads and Mom PAC takes no position on this program.

SB 547 – Child parenting plan requirement

Dads and Moms PAC position: Dads and Moms PAC opposes this bill, noting the following flaws.

The Bill requires the parents to attempt to establish a parenting plan regarding custody and parenting time, subject to certain exceptions, including individuals claiming to be a victim of domestic violence.

Sec 5A(2) allows an individual claiming to be the victim of domestic to file a statement which cannot be reviewed by the other parent, but is available to the Judge and the prosecutor.

This provision is outrageous, given all the false allegations of domestic violence, not to mention it is blatantly unconstitutional. When added to recent proposed changes in VAWA, reducing the evidentiary standard for domestic Violence to "Preponderance of the Evidence", we feel that anything less than a standing conviction on DV charges should not be allowed to effect custody. Further, existing law should be noted, post custody determination, a parent must demonstrate that a judge erred in law to change custodial decisions. So any assertion, even if never brought to trial (dropped for lack of evidence) will legally result in loss of custody, and there is no proof that any jurisdiction has seriously challenged false DV claims.

Sec. 5A(3)C includes another effort to sneak in a subjective definition of domestic violence to insure that all allegations are equivalent to convictions. It prohibits mutual decision making (joint legal custody) where there has been

(c) Multiple acts of domestic violence or an assault or sexual assault that causes grievous bodily harm or fear of that harm. (Translation: If all else fails, claim you were afraid he would hurt you).

In addition, mutual decision making (joint legal custody) is prohibited where there has been willful abandonment of the child for an extended period or refusal to perform parenting functions (i.e., many paternity cases).

This provision should require refusal to perform parenting functions post DNA verification of parentage.

Sec 5A(11) contains a provision for designation of one or both parents as the child's legal or physical custodian under the apparent incorrect belief that such designation is required for tax or health insurance.